

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KEITH E. MYERS,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

No. CV-08-0393-CI

ORDER GRANTING STIPULATED
MOTION FOR REMAND PURSUANT
TO SENTENCE FOUR OF 42
U.S.C. 405(g)

BEFORE THE COURT is the parties' stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 30.) The parties have consented to proceed before a magistrate judge. (Ct. Rec. 8.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion for Remand (**Ct. Rec. 30**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall address the September 21, 2005, and July 28, 2006, opinions of Dr. Taylor; reassess the evidence of mental impairment, including the opinions

1 of the claimant's mental health providers and the June 25, 2006,
2 opinion of Dr. Bostwick; reassess the clamant's broad areas of
3 functioning ("B" criteria), residual functional capacity, and
4 credibility; and further evaluate the claimant's ability to work at
5 steps 4 and 5, as necessary.

6 2. Judgment shall be entered for the **PLAINTIFF**.

7 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 24**) is
8 dismissed as moot.

9 4. An application for attorney fees may be filed by separate
10 motion.

11 The District Court Executive is directed to enter this Order,
12 forward copies to counsel, and thereafter shall close this file.

13 DATED December 1, 2009.

14
15 S/ CYNTHIA IMBROGNO
16 UNITED STATES MAGISTRATE JUDGE
17
18
19
20
21
22
23
24
25
26
27
28